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(1937-2005)

Jennifer E. Laurin  
Monica R. Shah  
Anna Benvenutti Hoffmann

February 13, 2007

Joseph L. Tehan, Jr.  
Gregg J. Corbo, Jeffrey T. Blake  
Kopelman & Paige, PC  
101 Arch Street, 12<sup>th</sup> Floor  
Boston, MA 02110

**Re: Waters v. Town of Ayer et al., No. 04 Civ. 10521**

Dear Counsel:

Enclosed please find Plaintiff's Supplemental Rule 26(a)(1) Disclosure.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,



Micah West  
Legal Assistant

Enclosures

cc: Rob Feldman, Esq.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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BETTY ANNE WATERS, as Administratrix of the Estate of KENNETH WATERS,	)	Case No. 04 10521 (GAO)
Plaintiff,	)	
v.	)	<u>PLAINTIFF'S SUPPLEMENTAL</u>
TOWN OF AYER, NANCY TAYLOR-	)	<u>DISCLOSURE PURSUANT TO</u>
HARRIS, in her individual capacity, ARTHUR	)	<u>FEDERAL RULE OF CIVIL</u>
BOISSEAU, in his individual capacity,	)	<u>PROCEDURE 26</u>
BUDDY DECOT, in his individual capacity,	)	
WILLIAM ADAMSON, in his individual capacity,	)	
PHILIP L. CONNORS, in his individual capacity,	)	
and JOHN DOE and JANE	)	
DOES 1-16, in their individual capacities,	)	
Defendants.	)	
	)	

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Plaintiff, by and through undersigned counsel Cochran Neufeld & Scheck, LLP, and Robert Feldman, Esq. of Birnbaum & Godkin, pursuant to Federal Rules of Civil Procedure 26(a)(1), provides the following supplement to her initial disclosures:

**A. Persons Likely to Have Discoverable Information (with last known addresses)**

<b>Witness/Last Known Contact Information</b>	<b>Knowledge of Case</b>
William Adamson, Jr. Groton-Shirley Road Ayer, MA 01432	Son of former APD Chief of Police William Adamson. Allegedly participated in vandalism at TIES Construction
Robert Awbin	Former TIES Construction Company employee
John Baliunas	Print Examiner, took latents at scene

Mass State Police  
Holden Barracks

State Trooper Belanger  
District Attorney's Office  
40 Thorndike Street  
Cambridge, MA 02141

Present during interview of Brenda Marsh in 2001

Lester W. Berry III  
48 Main Street  
Ayer, MA

Owner of Berry Enterprises and Park Street Diner

James E. Burlton

Bookkeeper for Berry Enterprises

Kellie Bogosian

State police chemist who conducted forensic testing on rape kit evidence in Dennis Maher case; in chain of custody in Waters case.

Richard Boucher

Alleged complainant against Ernest Downing

Francis Callahan  
Town hall  
Ayer, MA 01432

Former Chairwoman, Ayer Board of Selectman; named defendant in Stanley Randall's amended complaint; criticized Taylor for exceeding police duties

Michael Camblin

Alleged witness in Ernest Downing incident

Robert Casey  
9 Main Street  
Ayer, MA 01432

Attorney who defended Ernest Downing

Thomas S. Casey, Jr.  
Town hall  
Ayer, MA 01432

Chairman of the Board of Selectman at the time of Connors' hiring; named defendant in Stanley Randall's amended complaint

Murray W. Clark, Jr.  
Town hall  
Ayer, MA 01432

Former Chairman Ayer Board of Selectman; named defendant in Stanley Randall's amended complaint; accepted Taylor's appointment as patrol officer

Sheila Caulkins  
Mass. AG's Office  
McCormack Building  
One Ashburton Place  
Boston, MA 02108

Assistant District Attorney at time of Waters *nolle*

Hon. Martha Coakley Attorney General McCormack Building One Ashburton Place Boston, MA 02108	Former Middlesex County District Attorney at time of Waters <i>nolle</i>
Sharon M. Convery DNA Unit Commonwealth of MA Department of State Police Crime Lab 59 Horse Pond Road Sudbury, MA 01776	Chemist III – DNA unit; Massachusetts Department of State Police; chain of custody in Waters case DNA tests
William Cosper	Suspect in Brow murder investigation
Judy Crumpton	Dispatcher/Special Officer at APD in 1980's
Thomas Curly	Arraigned the morning of May 21, 1980 with Kenny Waters
Phil Demmons 147 Boutelle Fitchburg, MA	Suspect in Brow murder investigation; allegedly boyfriend of victim
Ernest Downing	Former APD police officer, charged with molestation, acquitted after complainant alleged he was coerced by APD officers into making allegations in retaliation against Downing for informing on criminal conduct of a fellow officer
Jack Dwyer E. Cambridge Superior Courthouse Bld. E. Cambridge, MA 02141	State Police Officer; involved in Waters investigation (deceased)
Chauncey Fenton Town Hall Acton, MA 01720	Police Chief of the Town of Acton at the time Randall's civil suit was filed. Defendant in the civil suit.
Michelle Marie Foote 418 East Cabite Street Fort Devens, MA 01433	Former office personnel employee at Park Street Diner
Robert Fortune	former Park Street Diner employee

Ruth Fugere 24D Brandywine Street Shrewsbury, MA	Bookkeeper in charge of Park Street Diner
Donald Giberti Town hall Acton, MA 01720	Chairman of the Board of Selectman for the Town of Acton At the time Randall's civil suit was filed. Defendant in the civil suit.
Edward Gintner 3 Nashua Street Ayer, MA 01421	Former APD police officer suspended for involvement in TIES Construction scandal
Marilyn Goss Maple Street Pepperell, MA	Complainant in the Maher case; Nancy Taylor took complaint
Donald Haapokoski	APD Officer whom Marilyn Goss was charged with assaulting
Jim Harris	Stanley Randall's former APD supervisor and current husband of Nancy Taylor-Harris
Charity M. Holland 7364 Steel Mill Drive Springfield, VA 22150	Forensic Technical Leader, Bode Tech; chain of custody of Waters DNA evidence
Mitchell M. Holland, Ph.D. 7364 Steel Mill Drive Springfield, VA 22150	Vice President/Laboratory Director Bode Tech; chain of custody of Waters DNA evidence
Alan Hunte District Attorney's Office 40 Thorndike Street Cambridge, MA 02141	State Trooper present during interview of Brenda Marsh in 2001; present custodian of state police records in Brow murder investigation
S. Dore Hunter Town hall Acton, MA 01720	Selectman for the Town of Acton at the time Randall's civil suit was filed. Defendant in the civil suit.
Dr. George Katsas	Medical Examiner for Brow murder
James Kazeniac	Former Chief Probation Officer, Ayer District Court, May 1980; may have knowledge of plaintiff's appearance in

court May 21, 1980

Trp. Patrick Keane  
32 Goddard Street  
Newton Highlands, MA 02461

State Police Officer

Elizabeth J. Lankford  
9609 Jacob Lane  
Indianapolis, IN 46235

former Berry Enterprises employee

Denise Leger  
19 Roosevelt Street  
Fitchburg, MA

Former roommate of Lisa McIntosh during period when rape allegations were filed against Randall

James Lenney  
Mohawk Village Rte 2A  
Shirley, MA

Former APD police officer who allegedly participated in the TIES construction scandal

Faith M. Love, MSFS  
7364 Steel Mill Drive  
Springfield, VA 22150

DNA Analyst, Bode Tech; reports, chain of custody of Waters DNA evidence

Dennis Maher

Convicted for Ayer rape he did not commit; Nancy Taylor took complaint

Paul J. Mahoney

Chemist with the Massachusetts Department of Safety who conducted serological work in Maher case

Gena A Manalan  
Town hall  
Acton, MA 01720

Selectman for the Town of Acton at the time Randall's civil suit was filed. Defendant in the civil suit.

Alice Matthews

former Park Street Diner employee

Dennis McDonald  
Ayer Police Department  
Ayer, MA

Ayer Police Officer; Arrested Kenny Waters with Nancy Taylor; took statement from Waters

John McEvoy  
40 Thorndike Street  
Cambridge, MA 02141

First Assistant District Attorney, Middlesex County District Attorney's Office

Mary Kate McGilvray Commonwealth of MA Department of State Police Crime Laboratory 59 Horse Pond Road Sudbury, MA 01776	Massachusetts State Police Crime Laboratory; reports, Chain of custody witness regarding Waters forensic evidence
John McIntosh 214 Pleasant Street Leominster, MA	Assisted Lisa McIntosh with rape allegation against Stanley Randall
Lisa McIntosh 316 Victor Avenue PO Box 622 Victor, CO 80860-0622	Woman who accused Stanley Randall of rape
Robert McKenna	Providence Police officer; assisted with arrest of Kenny Waters
Edward Morse Groton Police Department Groton, MA	Former Chief of Groton Police Department; present at crime scene on the day of the Brow murder
Kevin Nangle	Former TIES Construction Company employee
John Nasuti	State Police Polygraph Operator; conducted the polygraph of Brenda Marsh on October 8, 1982
Richard Nichols	Witness in Maher case
Sgt. Norton	Investigated TIES Construction scandal
Trooper O'Brien	Investigated TIES Construction scandal
Vincent O'Connell	Former investigator for Herbert DeSimone
John E. Ormsbee Town hall Acton, MA 01720	Selectman for the Town of Acton at the time Randall's civil suit was filed. Defendant in the civil suit.
"Porky" O'Rourke	Cop who allegedly had to restrain Rosanna Perry on one or more occasions

Michael Panzarella	Providence Police Officer; assisted with arrest of Kenny Waters
Butch Pena	Suspect in Brow murder investigation
Rose Perry 26 Somerset St., 3d Providence, RI 02907	Rosanna Perry's daughter
Trina Perry	Rosanna Perry's daughter
Robert E. Pino MA State Police Crime Laboratory 59 Horse Pond Road Sudbury, MA 01776	Massachusetts State Police Crime Laboratory administrator uploaded DNA profile from rug at Brow crime scene into CODIS
Edward Powers	Former Court Officer, Ayer District Court, May 1980; may have knowledge of plaintiff's appearance in court May 21, 1980
Dominic Pugh Boston Road Groton, MA	Former APD police officer; Investigated molestation charges against Downing
Paul Rich Mass State Police	State Police Chemist, at Brow crime scene.
Hon. Lynn C. Rooney Central District Court of Worcester 50 Harvard Street Worcester, MA 01608	former Deputy First Assistant, Middlesex County District Attorney's Office
Louise J. Rythen 98 Marshall Street Fitchburg, MA 01420	Former office personnel employee at Park Street Diner
John Salsberg 83 Atlantic Avenue Boston, MA 02110	Brenda Marsh's attorney
Hon. William Scannell	Judge who presided over criminal trial of Eddie Gitner

Damon Scarano, Esq. 60 Commercial Wharf Boston, MA	Stanley Randall's civil attorney
Carl Selavka Commonwealth of MA Department of State Police Crime Laboratory 59 Horse Pond Road Sudbury, MA 01776	Director, Commonwealth of Massachusetts Crime Lab (current)
Pam Sivo	Rose Perry's friend
Leon Smith	Former APD policeman, witness to admissions regarding TIES vandalism
Bruce Taylor	Nancy Taylor's ex-husband
Alice T. Tessier 230 Rainbow Drive North Ft. Meyers, FL 33903	former manager at Park Street Diner
Roger Van Tassell	Park Street Diner employee in May, 1980
Attorney Whitehead 40 Thorndike Street Cambridge, MA 02141	1 <sup>st</sup> Assistant DA during Waters investigation; contacted by Taylor when Osborne came forward as an informant
<p>Plaintiff reserves the right to further supplement her disclosures as contemplated by the Federal Rules of Federal Procedure and the Court's scheduling order.</p>	
<p>BETTY ANNE WATERS, By  Barry C. Scheck, Esq. (BS 4612) Deborah L. Cornwall, Esq. (DC 2186) COCHRAN NEUFELD &amp; SCHECK, LLP 99 Hudson Street, 8th Floor New York, NY 10013 Tel. (212) 965-9081 / Fax (212) 965-9084</p>	
Dated: February 12, 2007	

Robert N. Feldman  
Birnbaum & Godkin, LLP  
280 Summer Street  
Boston, MA 02210-1108  
Tel. (617) 307-6130 / Fax (617) 307-6101

**Attorneys for Plaintiff Betty Anne Waters**

**PROOF OF SERVICE**

I, Micah West, being over eighteen years of age, hereby certify pursuant to the laws of the Commonwealth of Massachusetts that I served the foregoing on the following persons by placing a copy of it in an authorized receptacle for U.S. mail pickup, this 12<sup>th</sup> day of February, 2007.

Joseph L. Tehan, Jr.  
Gregg J. Corbo  
Jeffrey T. Blake  
Kopelman & Paige, PC  
101 Arch Street, 12<sup>th</sup> Floor  
Boston, MA 02116



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Micah West